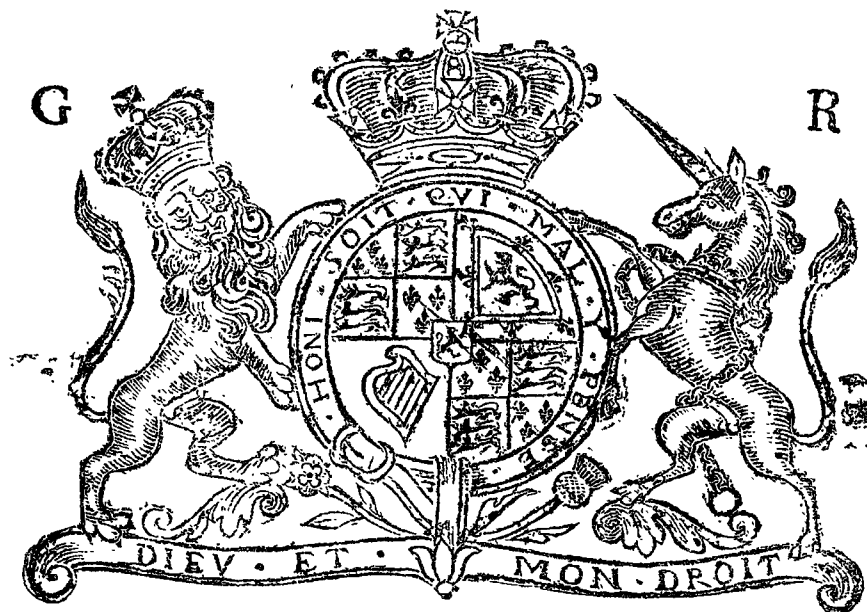


THE
L A W S,
AND
Acts of the General Assembly
Of His Majesties Province of *Nova Cæsarea* or
New-Jersey,

As they were Enacted by the Governour, Council and General Assembly, for the Time being, in divers Sessions, the first of which began in *November, 1703.*



Printed and Sold by *William Bradford*, Printer to the Kings Most Excellent Majesty for the Province of *New-Jersey*, 1717.

Anno Regni Octavo Georgii Regis.

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An Act to prevent the Killing of Deer out of Season, and against Carrying of Guns and Hunting by Persons not qualified.

BE it Enacted by the Governour Council and General Assembly, and it is hereby Enacted by the Authority of the same, That if any Person or Persons, after the Publication hereof, shall kill or Destroy any wild Buck, Doe or Fawn, or any other Sort of Deer whatsoever, at any Time in the Months of *January, February, March, April, May or June*, every such Person shall, for every such Offence, forfeit and pay the Sum of *Thirty Shillings*; for every such Buck, Doe or Fawn, or other Deer, so killed or destroyed as aforesaid, contrary to the true Intent and Meaning of this Act; one half thereof to the Poor of the Township or Precinct where the Offence is committed, and the other half to him who shall Inform or Sue for the same before any Justice of the Peace of this Province, who is hereby empowered and Authorized to hear and determine the same, and to convict the Offender by the Oath or Affirmation of one or more Witnesses. *Provided*, That such Conviction be made within two Months after such Offence committed:

And for the better Convicting of Offenders against this Act, *Be it Enacted by the Authority aforesaid*, That every Person in whose Custody shall be found, or who shall expose to Sale, any Green Deer Skins, Fresh Venison or Deers Flesh, at any Time in any of the Months of *January, February, March, April, May, or June* afore-mentioned, and shall be convicted thereof, as aforesaid; shall be deemed Guilty of the said Offence.

Provided always, That nothing contained in this Act shall be deemed or construed to hinder any Person from killing any Kind of Deer, within his Field where Corn is Growing, at any Time in the Month of *January*, nor to extend to any Free Native Indians Carrying Guns, Hunting, Killing or having in their Custody any Skins or Deers Flesh for their own Use, any Thing in this Act to the contrary notwithstanding.

And whereas divers Abuses have been committed, and great Damages and Inconveniencies arisen by Persons carrying of Guns and presuming to Hunt on other Peoples Land; for Remedy whereof for the Future, *Be it Enacted by the Authority aforesaid*, That if any Person or Persons shall presume, at any Time after the Publication hereof, to carry any Gun, or Hunt on the Improved or Inclosed Lands in any Plantation, and on other than his own, unless he have Licence or Permission from the owner of such Lands or Plantation, and shall be thereof Convicted, either upon the View of any Justice of the Peace within this Province, or by the Oath or Affirmation of any one or more Witnesses, before any Justice of the Peace, he shall, for every such Offence, forfeit the Sum of *Fifteen Shillings*, with Costs attending such Conviction. And if any Person whatsoever, who is not Owner of one Hundred Acres of Land, or otherwise Qualified, in the same Manner as Persons are or ought to be, for Electing of Representatives to serve in General Assembly, shall at any Time, after the Publication hereof, carry any Gun, or Hunt in the Woods or Uninclosed Lands, without Licence or Permission obtained from the Owner or Owners of such Lands,

Lands, and shall be thereof Convicted, in manner aforesaid, such Offender shall forfeit and pay the Sum of *Ten Shillings*, with Costs as aforesaid, for every such Offence. All which Penalties and Forfeitures shall go one Moiety to the Informer, and the other to the Poor of the Township or Precinct where the Offence is committed; but if convicted upon View of a Justice of the Peace, the whole Forfeiture shall be to the Use of the Poor. And if the Offender refuse to pay the same, with Costs, as aforesaid, shall be levied on by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of the Justice before whom such Offender shall be Convicted, returning the Over-pluss, if any be, the Charge of Distraining being first deducted. And for want of Effects whereon to make such Distress, every Person so offending contrary to the true Intent and Meaning of this Act, shall be committed to Prison, when the Forfeiture is *Thirty Shillings*, for the Space of fifteen Days, and when the Forfeiture is *Fifteen Shillings*, for the space of eight Days; and when the Forfeiture is *Ten Shillings*, for the space of five Days, without Bail or Mainprize.

And be it Enacted by the Authority aforesaid, That every Justice of the Peace, before whom any Person or Persons is convicted of having committed any of the Offences in and by this Act prohibited, is hereby directed and required to Issue his Warrants for the bringing such Offender before him, and in Case of the want of Effects whereon to make Distress, to make out his *Mittimus* to commit such Offender to the Goal of the County in which such Conviction is made; and the Sheriff, Under-Sheriff or Goal-keeper is hereby directed and required to keep the said Offender in close Goal, according to the Direction of this Act and Tenor of such *Mittimus* to such Sheriff, Under-Sheriff or Goaler directed. And every Justice of the Peace neglecting or refusing to Issue such Warrant, or make such *Mittimus*, and every Sheriff, Under-Sheriff or Goal-keeper who shall not receive such Offender and him keep in close Goal, according to the true Intent and Meaning of this Act, shall, for every such Neglect or Refusal, or undue discharge of his Office in the Premises, forfeit the Sum of *Six Pounds*, to be recovered in any Court of Record within this Province, in which there shall be no Essoyn or Protection, the one half to such person as shall sue for and prosecute the same to Effect, the other half to the Kings Majesty, His Heirs and Successors, for and towards the Support of the Government of this province.

And be it further Enacted by the Authority aforesaid, That this Act nor any part thereof, shall be construed to extend to Negro, Indian or Mullato Slaves, so as to commit them to prison, during the Time in this Act limited, in case they should be Guilty of any of the Offences in this Act prohibited, but that and in such case such Indian, Negro or Mullato slave killing and destroying any Deer as aforesaid, or carrying or Hunting with any Gun, without Licence from his Master, shall, at the Publick Whipping post, on the bare Back, be Whipt, not exceeding twenty Lashes for every such Offence, for which Whipping the Master shall pay to the Whipper the Sum of *Three Shillings*, and pay no greater or other Cost whatsoever, any Thing in this Act to the contrary hereof in any wise notwithstanding.

The fore-going five Acts were Published the fifth of May, 1722.